

REMARKS

Claims 1-36 are pending in the above-identified application. Claims 1-36 were rejected. Accordingly, claims 1-36 remain at issue in the above-identified application.

In the Final Office Action, the Examiner restated previous rejections and indicated that Applicants' arguments were not persuasive because Applicants had not yet filed a translation of the Japanese priority. Applicants restate their arguments below and enclose herewith a certified translation of the Japanese priority document that pre-dates the references cited by the Examiner.

I. 35 U.S.C. § 102(e) Anticipation Rejection of Claims And
35 U.S.C. § 103(a) Obviousness Rejection of Claims

Claims 1, 2-5, 8, 9, 19, 23, 26 and 27 were rejected under 35 U.S.C. §102(e) as purportedly anticipated by or, in the alternative, under 35 U.S.C. §103(a) as purportedly obvious over Wu et al., US Patent Application No. 2002/0063832. In addition, Claims 6, 7, 10-18, 20-22, 24, 25, and 27-36 were rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over Wu as applied to claims 1, 2-5, 8, 9, 19, 23, 26 and 27 above in view of Miyachi et al., US Patent No. 6,384,889. Applicants respectfully traverse this rejection.

Applicants respectfully submit that Wu is an improper reference under §102(e) and §103. For a U.S. patent application that does not claim benefit of an international application under PCT Article (2) to qualify as a reference under §102(e) and §103, the U.S. filing date of the patent application must precede the earliest effective priority date of this Application as the reference's foreign priority claims under §§ 119(a)-(d) are not considered. Wu was filed on April 30, 2001. This application has an earlier effective priority date of July 27, 2000, based on an earlier Japanese filing date. Applicants submit herewith an English translation of the Japanese priority application to perfect their claim to priority.

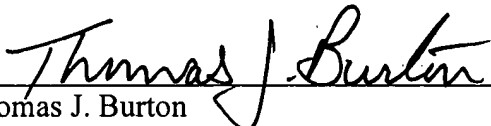
CONCLUSION

In view of the above remarks and submission of a certified translation of the Japanese priority document, Applicants submit that all claims now pending are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the Examiner is invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,

Dated: April 27, 2004

By:


Thomas J. Burton
Registration No. 47,464
SONNENSCHNEIN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000